

Florence Township Council Regular Session 7/19/17

Florence, New Jersey
July 19, 2017

The Florence Township Council held a regular meeting on the above date in the Municipal Complex, 711 Broad Street, Florence, New Jersey.

The meeting was called to order by Council President Lovenduski at 8:00 PM. Council President Lovenduski led the Salute to the Flag.

The Opening Statement was read by the Township Clerk: Notice was sent to the Trenton Times for information; posted on the municipal bulletin board; placed on the web-site on January 5, 2017; and advertised in the Burlington County Times on January 8, 2017.

Present: Frank Baldorossi, Paul Ostrander, Jerry Sandusky, David Woolston, Ted Lovenduski

Also present: Mayor Craig H. Wilkie; Richard A. Brook, Township Administrator; Thomas A. Sahol, Assistant Township Administrator, Kelly Grant, Esq., Township Attorney; James Biegen, Township Engineer; Nancy L. Erlston, Township Clerk

MINUTES

Woolston made a MOTION; seconded by Sandusky to approve the following minutes. Roll call vote – all ayes. Motion carried. Unanimous approval.

- Township Council Regular Session – July 12, 2017
- Township Council Closed Session – July 12, 2017
- Correction to Approved Regular Session - December 7, 2016

FINANCIAL CORRESPONDENCE

It was the Motion of Sandusky, seconded by Ostrander to receive and file the Chief Financial Officer's Cash Report and Budget Report for June 2017.

It was on the MOTION of Sandusky; seconded by Ostrander to approve the **Treasurer's Bill List**.

Upon roll call, Council voted as follows:

YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Lovenduski

NOES: None

ABSENT: None

Motion carried. Unanimous approval.

REGULAR CORRESPONDENCE

None at this time.

APPLICATIONS

None at this time.

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PUBLIC COMMENTS

Council President Lovenduski opened the meeting to the public at this time.

Fred Wainwright, 1011 Cedar Lane, said he believes that another farm is going to be taken to use as a landfill. The landfill is nearly full now. The locations of the farms are convenient being so close to Interstate 295 and near the current landfill. He asked what farm is going to become a landfill.

Mayor Wilkie asked Engineer Biegen if he has had any conversations with anyone about a landfill in that area. Engineer Biegen said he has not.

Mr. Wainwright said when residents try to do something in that area it is held up. He believes there will be a landfill.

Bob Lounsberry, 2109 Old York Road, said he is an owner of one of the properties on Burlington-Columbus Road. He said for the last twenty years the township has preserved his farm without compensation to him. He asked if there is a plan for his farm.

Mayor Wilkie said that is something that has been discussed over a span of many years. He said he was involved in the 1990's when the asphalt plant was a topic and the zoning of the property was changed. He wasn't involved during the Farmland Preservation discussions but he remembers. He knows the township denied it. He also was not there in 2006 with the Liberty Properties. He has been dealing with Margolis and the NFI project. People often talk about the 2006 project and where it was going. He was told that nothing was ever finalized and then the economy tanked. That is why that project fell through.

Mr. Lounsberry said that is not what he was told by Liberty Properties. He was told Florence Township could not "get along" with Mansfield Township to share the rateables. They got frustrated and did not want to back out but they were forced to. The economy didn't help any but it didn't hurt too much because they bought property on Route 130 for twice what they would have paid for his. He doesn't understand what the township would like him to do with his property.

He said there was another issue he would like to discuss regarding farmers. The land base has disappeared over the years. It is very difficult for him to remain in business. He asked if he was supposed to just keep a scenic area. He requested the township work with NFI.

Mayor Wilkie explained the township is not going to encourage any development in that area. The township withdrew its support of the project. The area is Planning Area Four and has been. That is on-site septic and wells. Mr. Lounsberry asked if he found someone that does not need sewer would he be turned down. Mayor Wilkie said he couldn't answer that. After the asphalt plant, the laws changed. Whatever the zoning is when a parcel is purchased is what it is going to remain. Mr. Lounsberry said he bought his property in 1982, the landfill came in 1989. He has been in limbo with that property for twenty years. He has had offers over the years and it didn't

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work out. He said NFI has been very good to him and he asked if the township would want to work with NFI.

Mayor Wilkie said he was not able to answer that. Right now there are traffic issues that the township is trying to resolve so it is not encouraging that type development there. Mr. Lounsberry said traffic issues were mentioned ten years ago and nothing has been done to fix it.

Mayor Wilkie said the township is receiving support from various groups to look at the problem and work on the solutions to the traffic issues.

Mr. Lounsberry said he feels the county is letting other development occur but it is for some reason blocking two farmers. Council President Lovenduski said Florence Township only has control of what happens in the township, it doesn't have any control over what happens somewhere else. He explained that right now the traffic needs to be addressed. The Delaware Valley Regional Planning Commission and the state are providing aid to the township regarding the traffic issues at that intersection. It would be wrong to add to the problem now before it is fixed.

Mr. Lounsberry said the sale of these two farms would help six young farmers.

Gina Lounsberry, 2109 Old York Road, said she disagreed about the discussion of Farmland Preservation. The two times when her family applied it was approved by the state and approved by the county but denied by the township, specifically by Administrator Brook. He signed the papers. Administrator Brook explained that at that time, Florence Township decided it did not want to participate in the preservation program. Ms. Lounsberry asked why that was the case. Administrator Brook said the township has been struggling for quite a while with what could or should be done in that part of the community. There has been a lot of back and forth for many years. For the record, Florence Township never chased Liberty Properties away. They walked away from the project and the primary reason was the recession and the economy. There were some issues that were not worked out with Mansfield Township. For the record, Florence Township did not encourage the asphalt plant. The reason was because it was not what the township wanted people to see as they entered the community. The township is still examining what would be the best option for Florence Township as a community at that intersection.

Ms. Lounsberry said for twenty years she and her family have been held hostage by the township and not offered any compensation or answers. She specifically came to the township after the second Farmland Preservation request was denied and asked what the township wanted her to do. She didn't receive an answer and that was in 1998. It is now 2017 and again she doesn't have any answers or compensation. She said when she brought the proposal for the asphalt plant the township told her they wanted it kept green. They at that time encouraged her to apply for preservation and she did. Then it was denied and the township did not let the community know about the denial.

Mr. Lounsberry said regarding the 1997 application he spoke to the head of Farmland Preservation at the time. After it was denied he called them and asked what the farm was

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appraised at. The person said they could not tell him that. To this day he doesn't know what he would have received under Farmland Preservation. He thinks it would have been a good amount because at that time farmers who received it were using the money to buy another farm and expand their operations. He couldn't expand his operation and he lost four hundred acres through open space because of the county. Open space and preservation has not been his friend.

Ms. Lounsberry said no one here has been friendly towards them and no one is answering their questions. She requested the township research what is allowed in the Special Manufacturing Zone and tell her what they would like her to get there.

Mr. Lounsberry said he can't even apply again for Farmland Preservation because the funds are no longer there. He said there aren't many farmers left in the township. He suggested talking to NFI and working with them. They don't only build warehouses, they build other things as well.

Council President Lovenduski said there is no magic answer and the township needs to really think about it. There isn't going to be an answer this evening. Ms. Lounsberry stated she needed some action. She wants to know what the township would like her family to do.

Mayor Wilkie said this is the first time he has seen Mr. and Mrs. Lounsberry at a meeting. He has been in and out over a number of years. Regarding the rateable base, there have different proposals that were presented and he said there was enough right now. With everything that has happened over the last five years, he is not desperate to bring more in.

Mr. Lounsberry said he has a letter stating the township wanted to bring in rateables. Mayor Wilkie noted the letter was fifteen years old. Mr. Lounsberry said that doesn't matter, it stopped him from preserving his farm. Mayor Wilkie said in the last five years the township has added thousands of dollars to the community when it comes to the businesses that have been brought in on Route 130, Cedar Lane and other areas. Those are rateables the township didn't have in the community five years ago.

Mr. Lounsberry said he doesn't see the benefit because his taxes keep increasing. Mayor Wilkie said that was not completely accurate because the local tax rate has been kept stable since 2013. Mr. Lounsberry said he wondered where the money goes because the county said the same thing but his taxes have been increasing. Mayor Wilkie reiterated that the local rate has been stable since 2013. Mr. Lounsberry said with all of the development his taxes should have gone down.

Mayor Wilkie noted that the road program has grown and the Patriotic Day Celebration was brought back. That event was a \$25,000 expenditure for the fireworks, police coverage and the man hours but it was something to give back to the community. Before he was mayor the celebration was stopped for two years because the township did not have the funds available for it. With the rateables, the township has chosen to expand the road program and bring back the celebration. It could have been used to lower taxes but the township chose to use the funds for the betterment of the township.

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Council President Lovenduski said the township would like to work with Mr. and Mrs. Lounsberry to work on their problem. Right now, the concern is the traffic. When the township can comfortably say that the intersection can take more traffic the township might be willing to do something in that area.

Mr. Lounsberry noted there was going to be a townhouse development on Florence-Columbus Road and that will increase traffic. Council President Lovenduski said the township did not have the option to decide, it was part of a court settlement. Mr. Lounsberry said he does not feel he has an option with his property.

Councilman Sandusky said everyone is concerned about the properties on the highway. The township needs to take care of the traffic problems. The township is moving forward with that and working with various organizations. The township knows the concerns and appreciates farmers.

Mr. Lounsberry said he is losing his land base. If he could sell his property he could buy preserved farms and keep farming. If he thought his kids didn't want to farm he wouldn't care.

Mr. Wainwright said when the Dimon family bought the property for the Liquor Barn they signed a lease on the two homes on the property so when the road was widened it would take the two houses. That was forty- two years ago and at that time they were aware the road needed to be widened. It is something that has been a problem for a long time. He said possibly if the warehouse were built now there would be a way to alleviate the problem. He suggested having specific times that trucks would not be able to use the road. The county has not done their job. The Turnpike Bridge is too narrow and there is a bottleneck. He thinks Interstate 295 and the Turnpike should be linked in this area.

Mike Willis, a member of the Wainwright family from 2740 Mountain Oak View Drive, Asheboro, North Carolina, said he thought everyone in the front of the room should be ashamed of themselves. The families have gone through a lot and tried to accommodate the township with the proper usage of the land. They are being held hostage. The township created the mess with Amazon. They should have known a facility like that was going to cause traffic problems. He feels there is a personal vendetta against the families.

Mayor Wilkie said for the record, the Amazon building is 600,000 sq. ft. There was over a million sq. ft. of warehouse approved for that site in the 1980's. The township did not know it was Amazon, they only knew the building was going to be 600,000 sq. ft. It was less than what could have been there.

He also said he has known some of the families for many years and he would never do something to intentionally hurt these families. The whole reason for looking into the development of the area was to try and solve a traffic problem that has been in this community for many years. He has to do what is in the best interest of all the residents of the township.

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Mayor Wilkie apologized to the Lounsberrys about what happened with the asphalt plant, but he doesn't disagree. An asphalt plant was not something that was wanted in Florence Township. Mayor Wilkie was not involved in the land piece in 2002 but people need to think about what rateables the town had then. At that point there wasn't anything in the Haines Center, which had already been operating for about ten years. Around 2008 there were three buildings built that added a large rateable base. There has been a lot of development going on in the township since 2012. Things have changed in the community. The township is progressing on the Roebling Steel site with an end user. It is a different route than what was attempted there ten years ago. There are many things going on in the community that provide a source of revenue and employment. Things have consistently changed. He would never do anything on purpose to hurt a family and he apologized if anyone was hurt in this process.

Council President Lovenduski said he took exception to the comment that this was something personal aimed at these families. Council President Lovenduski said the goal of the Mayor and Council is always for what is best the entire community. The majority of the residents don't want to see development in that area at this time.

Ms. Lounsberry said the Mayor and Council created a hostile environment for her. Someone accosted her at a local business. She doesn't feel she deserved that. Council President Lovenduski said he agreed one hundred percent. Ms. Lounsberry said it happened because the Mayor and Council are not being honest with anyone.

Mr. Lounsberry said NFI is not like Liberty. They build to suit. He can't think of a better developer to work with. They are a family-run business. Council President Lovenduski agreed that they were great to work with. Mr. Lounsberry suggested talking to NFI about building something that doesn't require sewer.

Mr. Wainwright said the county has known for a long time that something needed to be done and they just overlooked it. The road should have been fixed when Interstate 295 was put in. There also should have been work done when the Turnpike interchange was built. Council President Lovenduski said he is not disagreeing with any of that, but right now the township needs to work on fixing it. There are issues with funding also.

Mr. Wainwright said the county takes in \$18.5 million a year from the Farmland Preservation Tax, Open Space Tax and Park Repair tax. When it was originally collected it was only for Farmland Preservation. Everyone voted for it. Only a quarter of the tax now goes to Farmland Preservation.

Mr. Lounsberry said the county hasn't been his friend. His mom had a farm in Springfield Township. His family farmed the former sod farm for thirty five years. The county bought the farm and made four hundred acres a bird sanctuary and another one hundred acres for the fair ground. It left his family with only one hundred acres to farm. The county told him it would need to put that farming out for a bid. He fought and was able to continue farming the one hundred acres. Then the county bought the Crystal Lake property that someone has been farming for forty-three years. It was put out to bid for farming.

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He said the sale of the farms in Florence Township would allow for at least six boys to be able to farm. They want to farm. He asked that the township help him. There is someone that would like to buy. Council President Lovenduski said the township isn't saying it won't talk to NFI. He offered to create a subcommittee to have talks.

Michael Stein, 19 Greenview Drive, Chesterfield, NJ, said he owns the apartment building at 7 Broad Street next to Debbie's Snack Shop. There was a fire there in February and the building has been vacant since then. There were challenges with the insurance company but it is finally settled. The repairs should be starting soon. There is no real visible damage on the outside and the fire was pretty much limited to the third floor. His problem is that the state has ordered him to board up the building. He thinks that is unnecessary and it is going to be an eyesore. He spoke to his contractor and the contractor told him it will restrict his ability to do the repairs. He plans to appeal to the state. He was here this evening to see if he could get the support of the township and perhaps get a letter to go along with his appeal.

Assistant Administrator Sahol asked if it was multi-family. Mr. Stein said that it was. Assistant Administrator Sahol said the state housing office would have jurisdiction, but he thinks it would not be an unreasonable request if there were open, active construction permits for the property. He believes the Construction Office should be able to assist him. Administrator Brook agreed to have a meeting with Mr. Stein and hopefully be able to provide a letter for him.

It was the Motion of Ostrander, seconded by Sandusky to close the public portion of the meeting. All ayes.

RESOLUTIONS

RESOLUTION NO. 2017-170

**Approve Request to Release Maintenance Bond
1000 John Galt Way
Bond No. 21722005M**

RESOLUTION NO. 2017-171

**Award Contract for Chestnut Street at Front Street
Drainage Repairs and Road Improvements to:
Montana Construction Corp., Inc
80 Constant Avenue, Lodi, NJ 07644**

RESOLUTION NO. 2017-172

**Authorize Approval of Renewal of Plenary Retail
Consumption License for 2017-2018
Mary E. Paglione Exec. of Estate of Samuel O. Paglione
As Per Special Ruling**

RESOLUTION NO. 2017-173

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**Approve Release of Phase IIIA, Building C
Maintenance Bond No. LPM9041703
NFI Real Estate**

It was the Motion of Sandusky and seconded by Ostrander to approve Resolution Nos. 2017-170 through 2017-173.

Upon roll call, Council voted as follows:

YEAS: Baldorossi, Ostrander, Sandusky, Woolston, Lovenduski

NOES: None

ABSENT: None Motion carried. Unanimous approval.

ORDINANCES

None at this time.

REPORTS

Committees, Boards and Officers:

Administration

Mayor

Mayor Wilkie asked Engineer Biegen what the time line was for the contract that was awarded this evening for the work on Front Street. Engineer Biegen said he would prepare the contract immediately. The contractor has some workers ready to go. Hopefully the preconstruction meeting will be held in about a week and a half. The week after that the work could begin. There are two main parts to the project. The first is to find the end of the pipe that is still good and install a manhole. Next is to fix the pipe that is running toward the river. Then everything will be back graded and stabilized.

Engineer Biegen said the work the county will be doing has not started yet. They will be bringing in a barge with a drill rig to obtain some additional geotechnical information to finalize the design for the retaining wall. That will flatten out the slope.

Mayor Wilkie said the summer camp will be starting next week. It will run for two weeks. The capacity will be fifty children. They will be visiting different locations and taking some trips to different activities.

The Tractor Parade came through the community last Sunday. The VFW at Tenth Avenue was very cooperative. There were close to one hundred tractors in the parade. There were a lot of positives about it from the community. He thanked the two farm families in attendance this evening for their participation in the parade.

August 1 is National Night Out. It will be held at the Main Street Community Center, from 6:00pm – 9:00pm. The Florence Township Police Department will be sponsoring the event.

Mayor Wilkie said the next council is August 2 at 8:00pm. He explained that New Jersey is the home to the American Legion Boys' Governorship. Mathias Cross was elected governor in June.

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This is the first time in the history of Florence Township that someone achieved this honor. The township will be honoring him at that meeting.

Township Administrator

Administrator Brook said there was a report provided by the Chief Financial Officer regarding the Tax Anticipation Notes. The rate was a little more than one percent.

Administrator Brook stated that Marty Eckert, Recreation Coordinator, had provided a short summary about the summer flag football program. Administrator Brook said he wanted to mention it because Matthew Sparta had passed away and his family made a donation to the township for the Recreation Program. Those funds were used to help fund a flag football program. It is not about the sports as much as it is about the children getting out and having a good time. It is for the kids to have fun and be kids doing something productive. He thanked Mr. Eckert for his efforts and added a special thank you to the Sparta family. Councilman Sandusky said for the record, Matt Sparta was on the Florence Township Recreation Committee for many years.

Administrator Brook said he is not a big proponent of social media, it can have a lot of positives, but it can also have a lot of negative, incorrect information that gets posted. Assistant Administrator Sahol made him aware of some information regarding Payments In Lieu of Taxes (PILOT). It has been explained many times at public meetings and several residents noted they wanted to learn about them. The township offered to meet with them at any time but no one has followed up with the township to sit down and talk.

In a PILOT agreement, the owner or developer continues to pay full property taxes. They don't get a reduction in taxes. It is a financial incentive on the billing values over time. He cited an example on the federal level. The competition in the tri-state area is extremely intense. In 2015, Florence Township took in revenue under PILOTS of about \$940,000. In 2016 it was almost \$1.3 million. In 2017 it is anticipated it will be about \$1.5 million. If those funds are taken out of the equation, the tax rate would have a massive increase. Those funds are used to stabilize the Local Purpose Tax Rate and to continue to make significant improvements. The township has been able to have significant road programs. The funds are used to keep the tax rate stable. The township is keeping the tax rate stable and continuing to make improvements in the community, eliminating blight, improving parks and recreation and doing the right thing with the PILOTS. Some people indicated that a PILOT is a giveaway, that is not the case. He would like to put together something in writing to post. The only thing the township can do is make sure people have accurate straightforward information. He said he can't tell people what to believe but what he just stated is the unfettered truth. He wanted to make sure that was on the record because sometimes the township cannot compete with the inaccuracies that are posted to social media. Most towns are doing PILOTS because they have to in order to survive both economically and financially. It is not a giveaway at all.

Assistant Municipal Administrator

Assistant Administrator Sahol said the preconstruction meeting for the roundabout was held last week. The contractor is well prepared to mobilize for the project. They are waiting for 400

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Cedar Lane to finish what they are doing on their frontage. At present, it looks like it will be a fourteen week construction period. There will be some disturbance on the Railroad Avenue intersection at Cedar Lane. The goal is to keep Cedar Lane open and available because it the county truck route directly to Route 130. They are trying to minimize the periodic closing of Railroad Avenue. Hopefully the contractor can begin the drainage work and some of the widening work the first week of August.

The current Road Program is underway. Florence Meadows was a large part and it is completed. The contractor is moving very nicely on the concrete work on West Third Street, Shaver Drive and Pine Street. He believes Shaver Drive and Pine Street will be the next to be milled and paved. The concrete work on Hornberger Avenue will begin soon. The second grant was received. It will fund the work from Parish Lane to at least Sixth Avenue. That will start within the next few weeks. There is a tentative schedule but he is cautious about posting it because of weather and other interferences that sometimes come up. The contractor is committed and doing some very nice work. The Township Engineer is monitoring the work closely. He is happy with the project and hasn't received any complaints.

Assistant Administrator Sahol said the township is moving forward with acquisitions. The ordinances have been completed for many of them that were authorized. Regarding the 1501 Hornberger Avenue and 1511 Hornberger Avenue project, it seems the cost for demolition of the structure will be greater than the bid threshold. At a future meeting he would need a resolution to go out to bid for the job.

Division of Engineering

Engineer Biegen said Hornberger Phase II will be starting shortly. The township received a grant of \$220,000 for Hornberger Phase III. That should take the project up to Second Avenue.

Council President Lovenduski thanked Engineer Biegen. He knows it was a big project and it looks good.

Division of Law

Nothing at this time.

Unfinished Business

Councilman Sandusky asked if the Legion Post Commander was invited to the August 2 meeting where Mathias Cross will be recognized. He also suggested reaching out to the County Commander. Mayor Wilkie asked that Councilman Sandusky reach out to them since he was more familiar with the organization. Councilman Sandusky agreed to do so.

New Business

None at this time.

Board of Health

Nothing at this time.

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Public Comments: Open to the Public

Council President Lovenduski opened the meeting to the public.

Don Kamienski, 10 McCay Drive, asked for clarification about where the townhouses would be located. Council President Lovenduski described for him where they would be located.

Fred Scheetz, 12 Church Street, said he received a letter about gas main repairs. It had a notation on the back about compliance regarding sewer cleanouts. He asked who would be enforcing that. The ordinance was enacted in 1986 and he has never had a clean out. Assistant Administrator Sahol said the letter said if a resident seeks a permit for the purpose of replacing a sewer line and it is below grade the cleanout is required. Mr. Scheetz said all of his neighbors were upset by the letter. Assistant Administrator Sahol said he mailed two hundred thirty of those letters and he hasn't heard from anyone. He said he will verify now for the record if someone is going to change a sewer line, a permit is required. If the plumbing is below grade the ordinance requires a check valve so there isn't an unwelcomed flood of wastewater into a basement. It is enforced at the time of the plumbing permit.

Mr. Scheetz said he knows there is an effort to help the locating facilities such as 811. Assistant Administrator Sahol explained the letter is sent as a courtesy to residents to let them know if they are contemplating doing any work that could possibly require the opening of a roadway that will have a moratorium applied it should be done as soon as possible. Assistant Administrator Sahol said he would meet with Mr. Scheetz after the meeting to discuss the letter.

It was the Motion of Ostrander, seconded by Sandusky to close the public comments. All ayes.

ADJOURNMENT

9:07 PM MOTION of Woolston; seconded by Sandusky to adjourn. Roll call vote – all ayes. Motion carried. Meeting adjourned.

Respectfully submitted,

Nancy L. Erlston
Township Clerk
/aek